

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services-Treasuries & Accounts, Department-Kurnool Dist.-Sub Treasury, Atmakur-Admission of Bills/Cheques in excess of Budget/Balances-Sri M.Narasimhulu, Sub Treasury Officer, (Dismissed)-Punishment of dismissal from service-Review petition-Punishment of dismissed from service-Modified to that of 30% cut in pension permanently--Orders-Issued.

FINANCE (ADMN-III) DEPARTMENT

G.O.Rt.No. 3987

Dated: 07-08-2010

Read the following:

- 1.G.O.Rt.No.372, Fin. (Admn-I.Vig.) Dept., dt.04.02.2006
- 2.Review petition of Sri M.Narasimhulu, STO (Dismissed) dt.18.3.2006.
- 3.Orders of Hon'ble APAT, dt.4.9.2008 in O.A.No.1297 of 2006 filed by Sri M.Narasimhulu, STO (Dismissed)
- 4.Lr.No.KII(5)/4294/2000, dt.24.2.2009 from the DTA, AP, Hyderabad
- 5.Final Show Cause Notice dated.23.3.2010
- 6.Explanation of the individual dated.04.04.2010
- 7.APPSC.Lr.No.881/RT-1/2010, dt.20.07.2010

On the allegations made in newspapers, the ACB authorities raided the Sub Treasury, Atmakur and found some irregularities and disciplinary action was initiated against Sri M.Narasimhulu, Sub Treasury Officer, Sub Treasury, Atmakur and others. **The** following charges were framed against him.

Charge-I:

Admitting of Bills relating to Atmakur Gram Panchayat in excess of the Budget available to an extent of Rs.3,41,595/-.

Charge-II:

Admitting and passing of bills presented by the wardens/Matrons of the Hostels in excess of the allotment to the extent of Rs.5,63,838/-.

Charge-III:

Failure to submit monthly plus and minus Memos in respect of the Village Panchayat Funds with a view to cover the admission of cheques in excess of the balances.

Charge-IV:

He allowed Sri B.Murthuza, an outsider, to meddle with the official records which is contrary to rules and punishable.

2. Out of the above 4 charges, Charges I, II and III were proved and Charge-IV was not proved.

3. Government after examination of the matter observed that there is misappropriation of funds by way of excess releases and there is loss to the Government and in consultation with the A.P.V.C., he was awarded the punishment of dismissal from service besides recovery of pecuniary loss caused to the Government against Sri M. Narasimhulu, S.T.O. vide reference 1st read above

4. Aggrieved by the said punishment, the individual preferred Review Petition vide reference 2nd read above. During the pendency of Review Petition, he has filed O.A.No.1297 of 2006 before Hon'ble A.P.A.T vide reference 3rd read above. The Hon'ble A.P.A.T., vide its order dt.4.9.08 has allowed the O.A. in part and ordered as follows:

“Having gone through the facts and circumstances of the case and having considered the facts of the case, I am of the view that the punishment of dismissal imposed against the applicant is disproportionate to the charges which have been held proved. In view of the fact that no malafide intentions are established and also the amount released by the applicant in violation of

the procedure, have not resulted to misuse of Government funds. In these circumstances, which upholding the action of the respondents and having held that the charges have been proved, the matter is remitted back to the Government for reviewing the quantum of punishment and for awarding lesser punishment than that of dismissal or removal from service. The OA is accordingly allowed in part. VMA is dismissed of.

5. Accordingly, after careful examination of the matter, orders of Hon'ble APAT dated.4.9.2008, the reports of the DTA, Hyderabad, vide reference 4th read above it is observed that Sri M.Narasimhulu, S.T.O., and Sri K.Mazhar Basha, Sr. Accountant, were responsible for admitting an excess expenditure of Rs.3,41,595/- in Village Panchayat Funds of Atmakur Panchayat and an amount of Rs.5,63,838/- under different detailed heads of various Welfare Hostels. Out of these two items the minus balances under VPFs are reported to have been recouped during the immediate next financial year i.e.in 8/2000. Whereas the other expenditure drawn by the Wardens of the Hostels concerned there is no report of loss or misappropriation from the departments concerned and the said amounts were utilized by the concerned Hostels . Because of this, it is opined that it is not a loss to the Government. Sri M.Narasimhulu, S.T.O. (Dismissed) is not connected with the J.R.Y. Funds. In view of the above position, with due consideration to the altered facts and circumstances of the case arising due to the revelation that no loss occurred to the Government and with due consideration also to the fact that the individual has failed in the discharge of his duties in not preventing irregular drawal of Govt. funds and in due consideration to the totality of the circumstances of the case it is felt necessary and proper in the interest of justice and equity that the punishment of dismissal inflicted on the individual proposed to be modified to that of a permanent cut of 30% on the pension of Sri M.Narasimhulu, Sub Treasury Officer, Sub Treasury, Atmakur under Rule 9 of APRP Rules, 1980 and accordingly final show cause notice was issued to the individual vide reference 5th read above.

6. In the reference 6th read above, he has submitted his explanation in which he has not raised any new points/ or new grounds and he has reiterated his earlier explanation.

7. In the reference 7th read above, the APPSC has given concurrence for the proposed punishment of 30% cut of his pension permanently against Sri M.Narasimhulu, Sub Treasury Officer, Sub Treasury, Atmakur.

8. Accordingly, Government hereby modified the earlier punishment of dismissal from service (ordered in G.O. 1st read above) to that off 30% (thirty percent) cut on his pension permanently against Sri M.Narasimhulu, Sub Treasury Officer, Sub Treasury, Atmakur, Kurnool District. by treating that the individual was deemed to be reinstated into service and deemed to have been retired on 30-06-2006 on superannuation.

9. The period from the actual date of dismissal to 30-06-2006 i.e. actual superannuation. shall be treated as Not duty as per F.R. 54

10. The Director of Treasuries and Accounts, Hyderabad shall take necessary action accordingly and serve this order on the individual and send the served copy with his acknowledgement to the Government, at the earliest.

10. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM

PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To

The individual (through the DTA, Hyderabad)

Copy to:

The DTA, AP, Hyderabad

The AP, Vigilance Commission, Hyderabad

The Accountant General, AP, Hyderabad

//FORWARDED:: BY ORDER//

SECTION OFFICER